

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES EDWARD SCHMIDT,

Plaintiff,

Case No. 1:10-cv-307

v

HON. JANET T. NEFF

STATE OF MICHIGAN,
et al.,

Defendants.

_____ /

JUDGMENT

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed, see 28 U.S.C. §

636(b)(1), and the Court issues this Judgment pursuant to FED. R. CIV. P. 58.

THEREFORE, IT IS ORDERED that the Report and Recommendation (Dkt 16) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that the Complaint is **DISMISSED** for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this

Judgment would not be taken in good faith. See *McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997).

Date: May 24, 2010

/s/Janet T. Neff
JANET T. NEFF
United States District Judge